

CHAPTER 103. MONITOR A PART 133 CONGESTED AREA OPERATION

SECTION 1. BACKGROUND

1. PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODE: 1623

2. OBJECTIVE. The objective of this task is to ensure compliance with a Congested Area Plan (CAP) and with the regulations. Successful completion of this task results in an indication of compliance or noncompliance in an operator's file.

3. GENERAL.

A. Authority. Title 14 of the Code of Federal Regulations (14 CFR) part 133, § 133.39 allows the Administrator to make the inspections and/or tests found necessary to ensure compliance with the regulations. The inspector conducting surveillance performs an essential function in connection with the external-load operation.

B. Frequency of Surveillance. The operator should expect each congested area operation to be observed by an inspector. The inspector may or may not make their presence at the site known to the operator.

C. Deviation from the CAP.

(1) If the operator deviates from the CAP, it may pose a hazard to persons or property. With the exception of emergencies, deviation is not acceptable and may violate these regulations (see 14 CFR part 91, §§ 91.13, 91.119, 133.33(d), and 133.33(e)).

(2) The inspector should refer to volume 2, chapter 97, Conduct Initial Certification/Renewal of a Part 133 Operator, when concerned with deviations from a CAP for the purpose of an emergency.

(3) The inspector may approve changes to the CAP on site, if the changes meet or exceed the criteria for original approval of the plan. The inspector would note the changes on the plan, sign the change noted, indicate the date and time approved, and return the plan to the operator.

(4) The CAP submitted by the operator should contain contingency plans for as many variables as possible. With approved contingencies, the operator will not have to postpone the operation to seek Federal

Aviation Administration (FAA) approval if the plan must be modified.

D. Determining the Degree of Surveillance to Conduct.

(1) The operator should expect unannounced surveillance at any given operation.

(2) Normally, a full ramp check is used when an operation reveals a discrepancy. Full ramp checks may also be conducted as a planned work activity. (See volume 2, chapter 104.)

(3) The inspector must conduct the surveillance that is necessary to determine compliance.

E. Inspector's Role During Surveillance.

(1) It is the operator's responsibility to conduct the operation according to the operator's approved CAP and 14 CFR. It is the inspector's role to monitor the operation. If an imminent violation is observed, the inspector should attempt to advise the operator to cease operations until the situation is corrected.

(2) The inspector should refer to volume 2, chapter 102, Evaluate a Part 133 Congested Area Plan (CAP), for the criteria that the operation should meet.

F. Follow-up Activities. Inspectors should debrief the operator after surveillance, with an emphasis on reinforcing acceptable performance.

(1) After surveillance of an operation, the inspector should debrief the pilot (at the scene if possible) and the operator by written report or telephone call. This is especially important if there were minor discrepancies. Minor discrepancies are noted as "I" (information) on the PTRS Data Sheet.

(2) In the event of discrepancies indicating deficient procedures, pilot proficiency, training, or equipment, the operator should be advised in writing of the deficiencies. A follow-up ramp inspection or test is appropriate. These types of discrepancies are noted as an "F" (follow-up required) on the PTRS Data Sheet.

(3) In the event of a possible 14 CFR violation, the inspector shall initiate an enforcement investigation into any violation the inspector observes or becomes aware of. A violation is noted as an “E”

(enforcement action) on the PTRS Data Sheet (see volume 2, chapter 182, Conduct an Investigation to Determine Compliance).

SECTION 2. PROCEDURES

1. PREREQUISITES AND COORDINATION REQUIREMENTS.

A. Prerequisites. This task requires knowledge of the regulatory requirements of part 133 and FAA policies and qualifications as an Aviation Safety Inspector (ASI) (Operations). Experience as a rotorcraft external-load pilot is preferred but not required.

B. Coordination. Coordination with airworthiness and with the local political subdivisions is required.

2. REFERENCES, FORMS, AND JOB AIDS.

A. References.

- 14 CFR parts 1, 27, 29, 61, 91, and 133
- Advisory Circular (AC) 133.1, Rotorcraft External-Load Operations in Accordance with 14 CFR Part 133
- PTRS Procedures Manual (PPM)

B. Forms.

- None

C. Job Aids.

- Ramp Inspection Job Aid (figure 104-1 from volume 2, chapter 104)
- Approved CAP
- Tape recorder and camera
- Sample letters and figures

3. PROCEDURES.

A. Review CAP. Before visiting the operation site, review the CAP. Become familiar with the restrictions, limitations, and contingencies documented for this plan.

B. PTRS. Open PTRS file.

C. On-Site Activity. Observe the operation and note whether it is conducted according to plan. Check for the following, as appropriate.

(1) Check whether the operational area is secured (unoccupied by persons) and the radius is at least the proper minimum size for the proposed operation.

(2) Verify that the emergency landing site is secured.

(3) Check whether adequate security is available at the site.

(4) Check that the appropriate streets are blocked off.

(5) Check that required buildings (or proper portions thereof) are unoccupied.

(6) Check that the length of load plus the length of attaching means (hook and cable, etc.) does not exceed the radius of the operational area.

(7) Observe the manner in which the load is carried, picked up, and brought to a stabilized hover.

(8) Observe whether the route follows the plan, and whether the load is dragged or bumped into obstructions.

(9) Check the delivery (set) site and observe whether the height of the load above the building exceeds the CAP.

(10) Monitor pilot proficiency. The load should not oscillate excessively. In addition, evaluate pilot coordination with ground crew.

(11) Determine the quality of ground crew performance. The ground crew should give and interpret any required hand signals correctly.

D. Surveillance Results Satisfactory.

(1) It may be desirable to conduct a random ramp check. If so, see volume 2, chapter 104.

(2) Debrief the operator, if desired.

(3) Close PTRS.

E. Satisfactory Operation with Minor Discrepancies.

(1) Bring the discrepancy to the attention of the operator at the site or notify the operator by letter (figure 103-1), according to the situation.

(2) Document discrepancies to Remarks section of PTRS Data Sheet.

(3) Close PTRS.

F. Unsatisfactory Operation. If the operation was unsatisfactory and constituted a violation of 14 CFR, see volume 2, chapter 182.

4. TASK OUTCOMES.

A. An indication in the operator's file of a satisfactory operation, with or without discrepancies.

B. An indication in the operator's file of an unsatisfactory operation.

5. FUTURE ACTIVITIES.

A. Possible change in frequency of surveillance.

B. Possible re-examination of pilots involved in an unsatisfactory operation.

C. Possible monitoring of this or other operators engaging in congested area operations.

FIGURE 103-1
LETTER CONFIRMING DISCREPANCIES
DURING CONGESTED AREA OPERATION

FAA Letterhead

[date]

[name and address of operator]

Dear [operator's name]:

NOTE to inspector: If the discrepancy resulted in a violation, this letter may be used as a letter of investigation in an enforcement action.

Certain discrepancies were noted during surveillance of the rotorcraft external-load operations conducted at [street address, city, and state] on [date and time].

- *List the specific discrepancies and, if contrary to a Title 14 of the Code of Federal Regulations (14 CFR), indicate the related 14 CFR.*
- *Indicate how the approved congested area plan was not followed.*
- *List corrective action, if any, that was taken during the surveillance.*

NOTE to inspector: If the discrepancy resulted in a violation of the 14 CFR and this letter is used for enforcement purposes, add the following:

This matter is under investigation by the Federal Aviation Administration. We wish to offer you an opportunity to discuss the incident personally and submit a written statement. If you desire to do either, this should be accomplished within 10 days following receipt of this letter. Your statement should contain all pertinent facts and any extenuating or mitigating circumstances which you believe may have a bearing on the incident. If we do not hear from you within the specified time, our report will be processed without the benefit of your statement.

Sincerely,

[POI's signature]

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